

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL ACTION
	:	
v.	:	
	:	
KENNETH MITAN.	:	NOs. 08-760-1
FRANK MITAN,	:	08-760-2
BRUCE ATHERTON	:	08-760-3

ORDER

AND NOW, this 11th day of June, 2009, after careful consideration of the following Motions, it is hereby ORDERED as follows:

- (1) Defendant Kenneth Mitan's Motion to Quash Indictment (Doc. No. 97) is DENIED;
- (2) Defendant Kenneth Mitan's Rule 12 Motion to Dismiss (Doc. No. 109), also joined by Frank Mitan, is DENIED;
- (3) Defendant Kenneth Mitan's Amended Rule 12 Motion to Dismiss Entire Indictment and Parts Thereof (Doc. No. 141), also joined by Frank Mitan, is DENIED;
- (4) Defendant Kenneth Mitan's Motion to Quash Superseding Indictment for Perjury (Doc. No. 197) is DENIED;
- (5) Defendant Kenneth Mitan's Motion to Dismiss Superseding Indictment for Violation of Rule 6(e)(1) (Doc. No. 198) is DENIED;
- (6) Defendant Bruce Atherton's Motion to Dismiss Indictment (Doc. No. 155), also joined by Frank and Kenneth Mitan, is DENIED.

BY THE COURT:

/s Michael M. Baylson

Michael M. Baylson, U.S.D.J.

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